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Dated: November 16, 2004

Signature: 

(Jeffrey S. Sharp)

Docket No.: 28911/34561
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Jeffrey K. HORTON

Application No.: 09/027,654

Art Unit: 1641

Filed: February 23, 1998

Examiner: Gailene Gabel

For: IN-SITU CELL EXTRACTION
AND ASSAY METHOD

RULE 312 AMENDMENT AFTER ALLOWANCE

MS ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INTRODUCTORY COMMENTS

The following Amendment is made to correct a typographical error regarding Claim 9 as presented in the Amendment filed June 9, 2004. Specifically, Claim 9 which has never been amended was erroneously given the text of original Claim 8, which has also never been amended.

A corrected version of the current claims including the Examiner's amendments of August 23, 2004 is submitted below.

A current listing of claims begins on Page 2 of this paper.



PTO/SB/21 (02-04)

Approved for use through 07/31/2006. OMB 0651-0031

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/027,654
Filing Date	February 23, 1998
First Named Inventor	Jeffrey K. Horton
Art Unit	1641
Examiner Name	Gailene Gabel
Attorney Docket	28911/34561
Total Number of Pages in This	1

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input checked="" type="checkbox"/> After ALLOWANCE <input type="checkbox"/> Affidavits/declaration <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of _____	<input type="checkbox"/> After Allowance communication <input type="checkbox"/> Appeal Communication to Board of Appeals and Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please Identify below):
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	MARSHALL, GERSTEIN & BORUN LLP Jeffrey S. Sharp - 31,879
Signature	
Date	November 16, 2004

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